

Senate Bill 465
"Exempt State Fund from the Montana Electronic Government Services and
Montana Information Technology Acts"

Opponent Testimony by Dick Clark, Chief Information Officer,
Information Technology Services Division (ITSD)
Department of Administration
444-2777

Before the
House Business and Labor Committee
March 29, 2007

Mister Chairman, members of the committee, for the record my name is Dick Clark. I am the Chief Information Officer (CIO) of the Information Technology Services Division (ITSD), within the Department of Administration.

I rise in opposition to SB465.

The primary duty of the CIO is to implement the conscious policy objectives established by the legislature within the Montana Information Technology Act of 2001. As such, it is my duty to point out that SB465 exempts the Montana State Fund from two significant information technology statutes approved by previous Legislatures; the Montana Electronic Government Services Act (2-17-1101 MCA) and the Montana Information Technology Act (2-17-504 MCA). The Montana Information Technology Act requires state government to develop information technology resources in an "organized, deliberative and cost-effective manner". These points were again emphasized by the Legislative Audit Division in their 2005 Audit "Enterprise IT Management" whereby it states on Page 5: "The Montana Information Technology Act presents the state with an opportunity to have centralized management and control of IT....Accountability can be maintained because one agency (DOA-ITSD) is responsible for centralized management and oversight". While the State Fund can argue they are unique, we should not ignore these legislative goals and exempt the State Fund from legislative policy enacted in statute. The State Fund can accomplish their mission and provide appropriate services to its customers while operating under these Acts.

In conclusion, I do not believe that State Fund's inclusion under the Montana Information Technology and the Montana Electronic Government Services Acts have adversely impacted either State Fund's bottom line or the uniqueness of their line-of-business offering. I urge your opposition to this legislation. I am available to answer any questions you may have.

Thank you.